

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

AMANDA TURNER NOBLES,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 2:05cv886-WHA
)	
MRS ASSOCIATES, INC.,)	
)	
Defendant.)	

ORDER

This case is before the court on MRS Associates' Motion to Order Plaintiff to Disclose Pro Tanto Settlement Agreements (Doc. #36), filed on September 20, 2006.

This motion was argued orally to the court at the pretrial hearing held on September 21, 2006. Plaintiff's counsel represented to the court that the Plaintiff was not seeking from this Defendant any damages of any type except those proximately caused by this Defendant before any involvement in the matter by Zenta and Protocol, the two Defendants who were dismissed from this case after reaching settlements with the Plaintiff. That being the case, the Defendant, MRS, would not be entitled to any offset against damages proximately caused by it on the basis of settlements made with the Plaintiff by the other Defendants for entirely separate acts on their part. Accordingly, based on that representation by Plaintiff's counsel, it is hereby

ORDERED that the motion is DENIED. If Plaintiff should seek to recover from this Defendant any damages other than emotional distress and punitive damages ending at the time the loan was transferred from MRS, the parties shall take the matter up with the court outside the hearing of the jury.

DONE this 4th day of October, 2006.

/s/ W. Harold Albritton

W. HAROLD ALBRITTON

SENIOR UNITED STATES DISTRICT JUDGE